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SUBJECT: COURT RULES IN FAVOR OF BAHAI'S

REF: 06 CAIRO 7164

Sensitive but unclassified. Please protect accordingly.

**¶1.** (SBU) On January 29, the Cairo Administrative Court ruled in two cases brought by members of Egypt's small Baha'i religious community that the government may issue official identification documents without listing the holder's religion on the document. (Note: Under current practice, the government requires that identification documents identify all Egyptian citizens as members of one of the three "heavenly" faiths - Islam, Judaism or Christianity. End note). The government may appeal the decision to the Supreme Administrative Court. As a general rule, the government may not request a stay of an administrative court decision pending an appeal. According to the lawyer for the plaintiffs, Hossam Bahgat (please protect) of the NGO the Egyptian Initiative for Personal Rights, the plaintiffs will test the ruling immediately by applying for identification documents.

**¶2.** (U) In December 2006, the Supreme Administrative Court overturned a lower court ruling permitting Baha'i's to list their religious affiliation as "Baha'i" on national identification cards (reftel). The plaintiffs in the current case, a father seeking birth certificates for his children and a Baha'i student seeking a national identification card, did not ask the government to identify them as Baha'i's, but only that the government leave the block for religious affiliation blank or list their religion as "other." The plaintiffs and their lawyer argued that this was a compromise solution, an argument the court apparently accepted.

**¶3.** (SBU) Comment: The January 29 ruling is welcome for Baha'i's in Egypt who have long struggled with Egypt's restrictive national identification policy. Others experiencing difficulty obtaining identification documents, such as converts to Christianity, may also attempt to take advantage of this ruling. The key question now is whether the government will appeal, and, if so, what the final verdict will be.

JONES